

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**PORTLAND MINT and RONNIE
SHAHAR,**

Plaintiffs,

v.

**UNITED STATES DEPARTMENT OF
THE TREASURY, UNITED STATES
BUREAU OF THE MINT, UNITED
STATES DEPARTMENT OF
HOMELAND SECURITY, UNITED
STATES BUREAU OF CUSTOMS AND
BORDER PROTECTION SERVICE,
STEVEN MNUCHIN, DAVID MOTL,
JOHN F. KELLY, KEVIN K.
MCALEENAN, UNITED STATES OF
AMERICA and JOHN DOES 1-10,
Defendants.**

CIVIL ACTION

NO. 16-270

ORDER

AND NOW, this 20th day of March, 2017, upon review of Defendants' Motion to Dismiss (ECF No. 24); Plaintiffs' Response in Opposition thereto (ECF No. 25); Defendants' Reply in Support thereof (ECF No. 26); Defendants' Supplemental Brief in Support Thereof (ECF No. 30); and Plaintiffs' Supplemental Brief in Opposition thereto (ECF No. 33), and for the reasons set forth in the Court's Memorandum Opinion of March 20, 2017 (ECF No. 36), **IT IS ORDERED** that:

(1) Defendants' motion is **GRANTED**;

(a) Counts I, IV, and V of the Amended Complaint against all Defendants are **DISMISSED WITH PREJUDICE**;

(b) Counts II and III of the Amended Complaint against the United States, the United States Department of the Treasury, the United States Mint, the United States Department of Homeland Security, the United States Bureau of Customs and Border Protection Service, Steven Mnuchin, David Motl, John F. Kelly, and Kevin K. McAleenan are **DISMISSED WITH PREJUDICE**;

(c) Counts II and III against John Does 1-10 are **DISMISSED WITHOUT PRJEUDICE**; and

(2) Plaintiffs are granted leave to file a Second Amended Complaint consistent with the accompanying Opinion no later than April 3, 2017.

BY THE COURT:

/s/ **Wendy Beetlestone, J.**

WENDY BEETLESTONE, J.